

Application No. : 10/062,859
Amdt. Dated : April 23, 2004
R.C.E. Of : April 23, 2004

REMARKS

By way of summary, Claims 4-30, 39, 42-46, 50, 62, 67, 71, 78, and 85 were allowed on July 8, 2003. In the present amendment, the Applicants have amended Claims 23, 39, 42, 50, 62, 67 and 71. The Applicants respectfully submit that the foregoing amended claims merely clarify the original intent of the claims, i.e., that one or more of the intensity signals from the detector are the source for subsequent signal processing. The Applicants note that the foregoing claims have not been narrowed, nor were the amendments made for the purposes of patentability since the claims were already allowed. In addition, the present amendments to the foregoing claims are not a surrender of any subject matter. Accordingly, Claims 4-30, 39, 42-46, 50, 62, 67, 71, 78, and 85 remain pending for consideration remain pending for additional consideration.

Examiner's Statement of Reasons for Allowance

The Applicants respectfully disagree with the Examiner's Statement of Reasons for Allowance on July 8, 2003 to the extent that not all the claims include each of the structures or method steps recited in the Examiner's Statement. Also, to the extent that there is any implication that the patentability of any claim rests on the recitation of less than every feature of that claim, the Applicants respectfully disagree with the Examiner's Statement because it is the combination of features recited in each claim that makes that claim patentable.

Accordingly, the Applicants submit that each of the pending claims are allowable because the prior art does not teach or suggest the combination of features recited by that claim.

Information Disclosure Statement

The Applicants submit herewith an Information Disclosure Statement providing references which came to the Applicants' attention. While the Applicants do not believe

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that these references will affect the patentability of the pending claims, the Applicants respectfully request the consideration of the same.

Request For Telephone Interview

Similar to the claims allowed in the pre-R.C.E. filing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain to be resolved, the Applicants' undersigned attorney of record hereby formally requests a telephone interview with the Examiner. The Applicants' attorney can be reached at (949) 721-2946 or at the number listed below.

In addition, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 23, 2004

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